



**TOWN OF GRAFTON
ZONING BOARD OF APPEALS**

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**MINUTES
ZONING BOARD OF APPEALS
THURSDAY, JUNE 10, 2021
VIA ZOOM CONFERENCE**

A meeting of the Zoning Board of Appeals was held on Thursday, June 10, 2021 via Zoom Conference.

Members present: Chairman-William McCusker, Vice Chair – Marianne Desrosiers William Yeomans-Member, Kay Reed-Clerk, Member, Brian Waller – Member, Peter Adams-Alternate Member, and Mitali Biswas – Alternate Member.

Meeting called to order at 7:15 p.m.

Chairman calls meeting to order and takes roll call of all members, staff and others expected to participate.
Chairman reads remote access rules.

Case #874 – 331 Providence Road – Special Permit Request

Chairman reads rules of order. Clerk reads legal notice.

Ms. Tracy Kennedy of 331 Providence Road, South Grafton, MA, is here before the Board to request a Special Permit to build an accessory apartment for her mother to live. Ms. Kennedy gives the reasoning for the apartment.

Chairman asks if the Board has any questions.

Q: Is the property located in the WSPD and what is the increase in the impervious within the WSPD?

A: Yes and 1.4%, 901 sq. feet

Q: What makes it non-conforming?

A: The building is in the OLI (Office Light Industrial and Single-Family Dwellings are not allowed in the OLI district.

Q: Why is there a Condition that the Special Permit goes only with the homeowner and does not stay with the property?

A: The Town by-law states that a Special Permit for an in-law apartment is with the homeowner that applied for it and any new owner must come before the Board to request the transfer of the Special Permit to the new owner.

Q: Why is a 2-family not allowed? A: Single family and multi-family dwellings are not allowed in the OLI district.

Input from public:

Mr. Mark Wojnar of 341 & 335 Providence Road, South Grafton, MA, in favor of request for in-law apartment.
Wonderful neighbors have done a wonderful job with the property.

No other comments from the Board. Closed to public input.

Motion made by Mr. Yeomans and 2nd by Ms. Desrosiers to grant a Special Permit to Ms. Tracy Kennedy of 331 Providence Road, South Grafton, MA, per Exhibit A, attached and subject to the following 6 conditions from Planning. On a roll call vote: Ms. Desrosiers-yes; Ms. Reed-yes; Mr. Yeomans-yes; Mr. Waller-yes; Chairman-yes. 5-yes, 0-no, motion passed.

Motion made by Ms. Desrosiers and 2nd by Mr. Yeomans to close Case #874. On a roll call vote: Ms. Desrosiers-yes; Ms. Reed-yes; Mr. Yeomans-yes; Mr. Waller-yes; Chairman-yes. 5-yes, 0-no, motion passed.

Prentice Place LLC – 40B – Review of Landscape Plans (Continuation)

Sotir Papalilo, owner of Prentice Place, LLC and Catherine Oranchak, landscape architect for the project comment on changes to the landscape plan. The changes were in part due to the peer review of Alice Webb of EarthDesign Landscape Architecture, LLC.

Ms. Oranchak (Cate) comments on the changes that were made:

- Added shade trees
- Took out Oak trees
- Moved Junipers

Review of the comments from Alice Webb letter. Discussion of changes recommended by Alice and the changes that Cate made on the plans. Current well will be used for irrigation. Mr. Adams asks if the Board of Health has approved the use of the well for irrigation – unknown, owner will check.

Motion made by Ms. Desrosiers and 2nd by Ms. Reed to accept the revised Landscape Design plan submitted by Catherine Oranchak, dated 5/24/2021, sheets 4.1 – 4.3. On a roll call vote: Ms. Desrosiers-yes; Ms. Reed-yes; Mr. Waller-yes; Mr. Yeomans-yes; Chairman-yes. 5-yes, 0-no. Motion passed.

Elmrock Estates – Bond Reduction

Mr. Adams makes a disclosure that he was the prior owner of this development and sold it 2 years ago.

Steve O’Connell of Turning Point Engineering informs the Board that all units have been sold and are occupied. As-built plans have not been submitted yet. They are working on the project closeout checklist for the permit.

Per Jeff Walsh of Graves Engineering

- Topcoat of road is complete
- Loam and seed of all lawn areas is complete
- Owner has quantified remaining work per the letter dated 6/9/2021

Applicant would like to reduce the Infrastructure Bond from \$487,000 to \$350,000. The remainder of the Bond would be released by the Town after the road has been accepted by the Town and has gone through one full season.

Discussion of lowering Bond and Road Acceptance and Town meeting. Jeff Walsh has no problem adjusting the Bond amount to \$323,000 (actual calculation vs. the rounding amount of \$350,000), the topcoat placement must go 18 months through a full freeze/thaw cycle before it can be brought to Town Meeting for road acceptance.

Motion made by Mr. Yeomans and 2nd by Ms. Desrosiers to reduce the Infrastructure Bond from \$487,000 to \$323,000 per letter and comments from Jeff Walsh of Graves Engineering. On a roll call vote: Ms. Desrosiers-yes; Ms. Reed-yes; Mr. Waller-yes; Mr. Yeomans-yes; Chairman-yes. 5-yes, 0-no. Motion passed.

MINUTES:

Minutes from 4/14/2021 Meeting: tabled to next meeting.

Motion made by Ms. Desrosiers and 2nd by Mr. Yeomans to adjourn meeting. On a roll call vote: Ms. Desrosiers-yes; Ms. Reed-yes; Mr. Yeomans-yes; Mr. Waller-yes; Chairman-yes. All in favor, motion passed meeting adjourned at 8:31 p.m.

Respectfully submitted by Katrina Koshivos

Kay Reed

Kay Reed - Clerk